



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
WASHINGTON, D.C. 20314-1000

MAR 17 2010

CEMP-NAD


MEMORANDUM FOR COMMANDER, North Atlantic Division (CENAD-PSD-P)

SUBJECT: Implementation Guidance for Section 3044 of the Water Resources Development Act of 2007 (WRDA 2007) – St. Georges Bridge, DE

1. Section 3044 of WRDA 2007 modifies Section 102 (g) of WRDA 1990 and it directs the Secretary to assume ownership responsibility for the replacement bridge and restricts the Secretary from carrying out any action to close or remove the St. George's Bridge without specific congressional authorization. Attached is a copy of Section 102(g) of WRDA 1990, as modified by Section 3044 of WRDA 2007.
2. Within currently available funds, the District should draft all documents necessary to effectuate the assumption of ownership responsibility, including transfer of ownership of the bridge and associated land, or interests in land, as applicable, and forward such draft documents through the MSC to the NAD RIT for coordination, review, and a determination of the appropriate level of approval all prior to negotiation with the State. All actions required for assumption of ownership responsibility and transfer of bridge and real property ownership will be in accordance with Federal laws and regulations, including the National Environmental Policy Act of 1969. The limits of the replacement bridge will be approximately from Station 114+75 to 163+25 with the limits thereof to be specifically designated in the documents drafted by the District.
3. Funding for operation and maintenance of the St. Georges Bridge and the replacement bridge will be requested through normal budgetary procedures.

FOR THE COMMANDER:

Encl

 P.E.  
Mohan Singh, P.E.  
Chief, North Atlantic Division  
Regional Integration Team  
Directorate of Military Programs

ATTACHMENT

Section 102(g) of WRDA 1990, as modified by Section 3044 of WRDA 2007:

DELAWARE RIVER TO CHESAPEAKE BAY, DELAWARE AND MARYLAND.--The project for navigation, inland waterway from the Delaware River to the Chesapeake Bay, Delaware and Maryland, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1030), and modified by the Act entitled "An Act authorizing construction of a highway bridge across the Chesapeake and Delaware Canal at Saint Georges, Delaware", approved August 7, 1939 (53 Stat. 1240-1241), is modified to direct the Secretary to replace the highway bridge on United States Route 13 in the vicinity of St. Georges, Delaware, to meet current and projected traffic needs, at a Federal cost of \$115,000,000. The State may carry out the bridge replacement. If the State carries out the bridge replacement, the Secretary may reimburse the State for costs incurred. The Secretary shall assume ownership responsibility for the replacement bridge not later than the date on which the construction of the bridge is completed and the contractors are released of their responsibility by the State. In addition, the Secretary may not carry out any action to close or remove the St. George's Bridge, Delaware, without specific congressional authorization.